

SENATE BILL 601

F2

2lr2239

By: **Senator Gladden**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Institutions of Higher Education – Waiver of Tuition – Individual**
3 **Exonerated After Wrongful Conviction**

4 FOR the purpose of exempting a certain resident of the State who was exonerated by a
5 court following a wrongful conviction for a crime by a court in the State from
6 paying tuition at a public institution of higher education under certain
7 circumstances; prohibiting a certain individual from being required to pay the
8 difference between the amount of a certain scholarship or grant and the amount
9 of tuition under certain circumstances; providing that a certain individual who
10 is exempt from tuition continues to be exempt for a certain period of time;
11 defining a certain term; and generally relating to a waiver of tuition at public
12 institutions of higher education for an individual exonerated after wrongful
13 conviction.

14 BY adding to
15 Article – Education
16 Section 15–106.9
17 Annotated Code of Maryland
18 (2008 Replacement Volume and 2011 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Education**

22 **15–106.9.**

23 **(A) (1) IN THIS SECTION, “TUITION” MEANS THE CHARGES IMPOSED**
24 **BY A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR ENROLLMENT AT THE**
25 **INSTITUTION.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) "TUITION" INCLUDES CHARGES FOR REGISTRATION AND ALL**
2 **FEEES REQUIRED AS A CONDITION OF ENROLLMENT.**

3 **(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A**
4 **RESIDENT OF THE STATE WHO WAS EXONERATED BY A COURT FOLLOWING A**
5 **WRONGFUL CONVICTION FOR A CRIME BY A COURT IN THE STATE IS EXEMPT**
6 **FROM PAYING TUITION AT A PUBLIC INSTITUTION OF HIGHER EDUCATION IF:**

7 **(1) THE INDIVIDUAL WAS INCARCERATED BY THE STATE FOR 10**
8 **YEARS OR MORE BEFORE THE DATE OF THE INDIVIDUAL'S RELEASE;**

9 **(2) THE INDIVIDUAL WAS ENROLLED AT ANY INSTITUTION OF**
10 **HIGHER EDUCATION IN THE UNITED STATES ON OR BEFORE THE DATE THE**
11 **INDIVIDUAL WAS CONVICTED OF THE CRIME; AND**

12 **(3) THE INDIVIDUAL IS ACCEPTED BY AND ENROLLED AS A**
13 **CANDIDATE FOR AN ASSOCIATE'S DEGREE OR A BACHELOR'S DEGREE AT A**
14 **PUBLIC INSTITUTION OF HIGHER EDUCATION.**

15 **(C) IF AN INDIVIDUAL UNDER SUBSECTION (B) OF THIS SECTION**
16 **RECEIVES A SCHOLARSHIP OR GRANT FOR POSTSECONDARY STUDY AND IS**
17 **ENROLLED AS A CANDIDATE FOR AN ASSOCIATE'S DEGREE OR A BACHELOR'S**
18 **DEGREE AT A PUBLIC INSTITUTION OF HIGHER EDUCATION, THE INDIVIDUAL**
19 **MAY NOT BE REQUIRED TO PAY THE DIFFERENCE BETWEEN THE AMOUNT OF**
20 **THE SCHOLARSHIP OR GRANT AND THE AMOUNT OF THE TUITION.**

21 **(D) AN INDIVIDUAL WHO IS EXEMPT FROM TUITION UNDER THIS**
22 **SECTION CONTINUES TO BE EXEMPT UNTIL THE EARLIER OF:**

23 **(1) 6 YEARS AFTER FIRST ENROLLING AS A CANDIDATE FOR AN**
24 **ASSOCIATE'S DEGREE OR A BACHELOR'S DEGREE AT A PUBLIC INSTITUTION OF**
25 **HIGHER EDUCATION IN THE STATE; OR**

26 **(2) THE DATE THAT THE INDIVIDUAL IS AWARDED A BACHELOR'S**
27 **DEGREE.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2012.